

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/645,326 Confirmation No.: 7566  
Applicant : Amel AMBLARD  
Filing Date : August 21, 2003  
Title : ADJUSTMENT OF THE ATRIAL SENSITIVITY IN AN ACTIVE  
IMPLANTABLE MEDICAL DEVICE SUCH AS CARDIAC  
PACEMAKER  
Group Art Unit : 3762  
Examiner : John D. Alexander  
Docket No. : 8707-2161  
Customer No. : 34313

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

I, W. Benjamin Tabler, represent that I am an attorney of record for the above-identified application. I am authorized to sign this Terminal Disclaimer on behalf of Ela Medical S.A. I certify that Ela Medical S.A. owns the entire interest in the above-identified application and invention by virtue of an assignment from the inventors to Ela Medical S.A. recorded in the Patent and Trademark Office at Reel 014780, Frame 0028. I have reviewed all the documents in the chain of title of this patent application and, to the best of my knowledge and belief, title and the entire interest of this patent application is held by Ela Medical S.A..

Ela Medical S.A. hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the statutory expiration date of

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CERTIFICATE OF MAILING *Electronic filing*  
37 CFR §1.8

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 9.7.2006

*W. Benjamin Tabler*  
Signature of Person Mailing Document

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co-pending U.S. Patent Application No. 10/645,329. Ela Medical S.A. is the owner of U.S. Patent Application No. 10/645,329 by virtue of assignment from the inventors to 10/645,329.

Moreover, Ela Medical S.A. hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to co-pending U.S. Patent Application No. 10/645,329, this agreement to run with any patent granted on the above-identified application and to be binding upon Ela Medical S.A., its successors, or assigns.

Ela Medical S.A. does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of co-pending U.S. Patent Application No. 10/645,329, in the event that this patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.312(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

Method of Payment of fees:

- ☐ A check in the amount of \_\_\_\_\_ is enclosed to cover the above fee(s).  
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☒ The Commissioner is authorized to charge Orrick's Deposit Account No. **15-0665** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. **15-0665**.

Respectfully submitted,  
ORRICK, HERRINGTON & SUTCLIFFE LLP

By: W. Benjamin Tabler 9/2/06  
W. Benjamin Tabler  
Reg. No. 53,668

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Orrick, Herrington & Sutcliffe LLP  
4 Park Plaza, Suite 1600  
Irvine, CA 92614-2558  
Tel. 949-567-6700  
Fax. 949-567-6710  
Customer Number: 34313